



Ninety-Ninth Legislature - First Session - 2005
Committee Statement
LB 709

Hearing Date: February 9, 2005

Committee On: Health and Human Services

Introducer(s): (Erdman, Aguilar, Baker, Beutler, Bourne, Brown, Burling, Byars, Combs, Connealy, Cornett, Cudaback, Cunningham, Engel, Flood, Foley, Friend, Heidemann, Hudkins, Jensen, Johnson, Kremer, Kruse, Langemeier, Loudon, Mines, Dw. Pedersen, D. Pederson, Preister, Price, Redfield, Schimek, Smith, Stuhr, Stuthman, Synowiecki, Wehrbein)

Title: Adopt the Medicaid Reform Act

Roll Call Vote – Final Committee Action:

Advanced to General File

X Advanced to General File with Amendments

Indefinitely Postponed

Vote Results:

5	Yes	Senator Jensen, Cunningham, Erdman, Johnson and Stuthman
2	No	Senator Byars and Howard
	Present, not voting	
	Absent	

Proponents:

Senator Erdman
Shannon Anderson
Kathy Hoell
Dick Nelson
Patricia McGill Smith

Representing:

Introducer
Alegent Health
Nebraska Statewide Independent Living Council
Nebraska Health and Human Services System
Self

Opponents:

Mark Intermill
Meredith Metcalf

Danielle Nantkes

Terri Holman

Brendon Polt
Roger Keetle
David Buntain
Jeff Cogswell

Representing:

AARP, Nebraska
National Association of Social Workers,
Nebraska Chapter
Nebraska Appleseed Center for the Law and
Public Interest
Nebraska Planning Council on Developmental
Disabilities
Nebraska Health Care Association
Nebraska Hospital Association
Nebraska Medical Association
Self

Summary of purpose and/or changes: LB 709 adopts the Medicaid Reform Act, which terminates on January 1, 2006 (sec. 1). The purpose of the act is to provide for reform of the medical assistance program (Medicaid) and a “substantive recodification of statutes relating to such program,” including, but not limited to, the enactment of policies to (1) reduce the growth of Medicaid spending, (2) ensure future sustainability of the program for Nebraska residents, (3) reduce the number of persons who are dependent on Medicaid benefits, (4) establish priorities and ensure flexibility in the allocation Medicaid benefits, and (5) provide alternative to Medicaid eligibility for Nebraska residents (sec. 2). The bill contains legislative findings (sec.3) and intent (sec. 4).

The bill requires the Governor and the chairperson of the Health and Human Services Committee of the Legislature to each designate one person to “diligently pursue negotiations with the federal Centers for Medicare and Medicaid Services for the development of a Medicaid reform plan for the State of Nebraska and the development and approval of necessary medicaid plan amendments and waivers to support such plan.” The plan must be submitted to the Governor and the Legislature on or before December 1, 2005 (sec. 5).

The chairperson of the Health and Human Services Committee, in consultation with the members of the committee, must prepare and introduce legislation in 2006 to implement the plan.

The bill contains an emergency clause.

Explanation of amendments, if any: The committee amendment (AM 0772) replaces the bill as introduced and inserts provisions of LB 272.

The amendment revises purpose language in section 3, and revises section 5 to read as follows: “The Governor and the chairperson of the Health and Human Services Committee of the Legislature shall each designate one person who shall be responsible to the Governor and the committee for the development of a medicaid reform plan for the State of Nebraska. Such plan shall be developed in consultation with the Governor, the committee, the Policy Cabinet established in section 81-3009, and the federal Centers for Medicare and Medicaid Services. Public input shall be solicited, and at least one public meeting shall be conducted in each congressional district prior to submission of the plan. Monthly reports shall be provided to the Governor and the committee during preparation of the plan. Such plan shall be submitted to the Governor and the Legislature no later than December 1, 2005, and shall include recommendations for the development of medicaid plan amendments and waivers and draft legislation necessary to support such plan. The committee shall conduct a public hearing on or before December 15, 2005, to receive public input regarding the plan.”

The amendment inserts provisions of LB 272. The amendment adopts the Long-Term Care Partnership Program Development Act (sec. 7), to “require the development of a plan to create a long-term care partnership program in Nebraska” (sec. 8). The amendment contains findings (sec.9).

The amendment requires the Nebraska Health and Human Services System (HHSS) and the Department of Insurance (department), in consultation with the Health and Human Services Committee of the Legislature, to prepare and submit to the Governor and the Legislature, on or before December 1, 2005, a plan for a long-term care partnership program. In preparing the plan, HHSS and the department are required to analyze partnership programs established by states

prior to the enactment of federal restrictions on the development of such programs in the Omnibus Budget Reconciliation Act of 1993.

The amendment requires the introduction of legislation in the Ninety-Ninth Legislature, Second Session, to establish such a program.

The amendment has an emergency clause.

Senator Jim Jensen, Chairperson